

House File 911 - Reprinted

HOUSE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 1134HC)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to state departments
2 and agencies from the rebuild Iowa infrastructure fund,
3 vertical infrastructure fund, the endowment for Iowa's health
4 restricted capitals fund, and the technology reinvestment
5 fund, and related matters, and providing an effective date.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 1134HV 82
8 rh/gg/14

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1 1 DIVISION I
1 2 REBUILD IOWA INFRASTRUCTURE FUND
1 3 Section 1. There is appropriated from the rebuild Iowa
1 4 infrastructure fund to the following departments and agencies
1 5 for the fiscal year beginning July 1, 2007, and ending June
1 6 30, 2008, the following amounts, or so much thereof as is
1 7 necessary, to be used for the purposes designated:
1 8 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
1 9 a. For relocation and project costs directly associated
1 10 with remodeling projects on the capitol complex and for
1 11 facility lease payments, notwithstanding section 8.57,
1 12 subsection 6, paragraph "c":
1 13 \$ 1,824,500
1 14 b. For routine maintenance of state buildings and
1 15 facilities, notwithstanding section 8.57, subsection 6,
1 16 paragraph "c":
1 17 \$ 5,000,000
1 18 c. For costs associated with capitol interior and exterior
1 19 restoration:
1 20 \$ 6,300,000
1 21 d. For upgrades to the electrical distribution system
1 22 serving the capitol complex:
1 23 \$ 3,460,960
1 24 e. For costs associated with the enterprise resource
1 25 planning system, notwithstanding section 8.57, subsection 6,
1 26 paragraph "c":
1 27 \$ 1,500,000
1 28 f. For costs associated with the restoration of the west
1 29 capitol terrace:
1 30 \$ 1,600,000
1 31 g. For the purchase and installation of decorative
1 32 planters on state property west of the west capitol terrace,
1 33 notwithstanding section 8.57, subsection 6, paragraph "c":
1 34 \$ 120,000
1 35 h. For costs to repair parking lots and sidewalks on the
2 1 capitol complex:
2 2 \$ 1,650,000
2 3 i. To provide funding and related services for capitol
2 4 complex property acquisition, notwithstanding section 8.57,
2 5 subsection 6, paragraph "c":
2 6 \$ 1,000,000
2 7 j. For costs associated with the relocation of the vehicle
2 8 dispatch fueling station:
2 9 \$ 350,000
2 10 k. For costs associated with the central energy plant
2 11 addition and improvements:
2 12 \$ 998,000
2 13 l. For heating, ventilating, and air conditioning
2 14 improvements in the Hoover state office building:
2 15 \$ 1,320,000

2 16 m. For a feasibility study relating to renovations to the
 2 17 capitol complex utility tunnel system, notwithstanding section
 2 18 8.57, subsection 6, paragraph "c":
 2 19 \$ 260,000
 2 20 n. For costs associated with a feasibility study
 2 21 concerning asbestos abatement and related building renovation
 2 22 work at the Iowa workforce development building located at
 2 23 1000 E. Grand Avenue in Des Moines, notwithstanding section
 2 24 8.57, subsection 6, paragraph "c":
 2 25 \$ 1,000,000
 2 26 o. For allocation to the worker's monument committee for
 2 27 costs associated with the construction of a worker's monument
 2 28 to be located on the capitol complex:
 2 29 \$ 200,000
 2 30 p. For capital improvements at the civil commitment unit
 2 31 for sexual offenders facility at Cherokee:
 2 32 \$ 750,000
 2 33 q. For a contribution to the American veterans disabled
 2 34 for life memorial fund for funding the construction of the
 2 35 American veterans disabled for life memorial in Washington,
 3 1 D.C., notwithstanding section 8.57, subsection 6, paragraph
 3 2 "c":
 3 3 \$ 50,000
 3 4 2. DEPARTMENT OF CORRECTIONS
 3 5 a. For costs associated with the Cedar Rapids mental
 3 6 health facility:
 3 7 \$ 1,300,000
 3 8 b. For capital improvement projects at correctional
 3 9 facilities:
 3 10 \$ 5,495,000
 3 11 c. For the master planning process for the possible
 3 12 remodel, expansion, and demolition of buildings at the Iowa
 3 13 correctional institution for women; to develop, validate, and
 3 14 implement custody classification systems; and a research-based
 3 15 study of the substance abuse, sex offender, and medical and
 3 16 mental health treatment programs to ensure adherence to
 3 17 evidence-based practices, notwithstanding section 8.57,
 3 18 subsection 6, paragraph "c":
 3 19 \$ 500,000
 3 20 d. For the lease payment under the lease-purchase
 3 21 agreement to connect the electrical system supporting the
 3 22 special needs unit at Fort Madison:
 3 23 \$ 333,168
 3 24 e. For costs associated with boiler improvements at the
 3 25 correctional facility located at Anamosa:
 3 26 \$ 25,000
 3 27 3. DEPARTMENT OF CULTURAL AFFAIRS
 3 28 a. For continuation of the project recommended by the Iowa
 3 29 battle flag advisory committee to stabilize the condition of
 3 30 the battle flag collection, notwithstanding section 8.57,
 3 31 subsection 6, paragraph "c":
 3 32 \$ 220,000
 3 33 The department is authorized an additional 1.50 full-time
 3 34 equivalent positions for a conservation assistant and a
 3 35 part-time historian for work related to the stabilization and
 4 1 preservation of the battle flag collection.
 4 2 b. For historical site preservation grants to be used for
 4 3 the restoration, preservation, and development of historic
 4 4 sites:
 4 5 \$ 1,000,000
 4 6 In making grants pursuant to this lettered paragraph, the
 4 7 department shall consider the existence and amount of other
 4 8 funds available to an applicant for the designated project. A
 4 9 grant awarded from moneys appropriated in this lettered
 4 10 paragraph shall not exceed \$100,000 per project. Not more
 4 11 than two grants may be awarded in the same county.
 4 12 Notwithstanding the provisions of this lettered paragraph,
 4 13 \$200,000 shall be allocated to the last surviving Frank Lloyd
 4 14 Wright hotel located in a county with a population between
 4 15 46,000 and 47,000.
 4 16 4. DEPARTMENT OF ECONOMIC DEVELOPMENT
 4 17 a. For infrastructure expenses to support the development
 4 18 and expansion of targeted industry areas of advanced
 4 19 manufacturing, bioscience, and information technology pursuant
 4 20 to 2007 Iowa Acts, House File 829, if enacted, notwithstanding
 4 21 section 8.57, subsection 6, paragraph "c":
 4 22 \$ 1,750,000
 4 23 b. For accelerated career education program capital
 4 24 projects at community colleges that are authorized under
 4 25 chapter 260G and that meet the definition of "vertical
 4 26 infrastructure" in section 8.57, subsection 6, paragraph "c":

4 27 \$ 5,500,000
4 28 The moneys appropriated in this lettered paragraph shall be
4 29 allocated equally among the community colleges in the state.
4 30 If any portion of the equal allocation to a community college
4 31 is not obligated or encumbered by April 1, 2008, the
4 32 unobligated and unencumbered portions shall be available for
4 33 use by other community colleges.

4 34 5. DEPARTMENT OF EDUCATION
4 35 a. To provide resources for structural and technological
5 1 improvements to local libraries and for the enrich Iowa
5 2 program, notwithstanding section 8.57, subsection 6, paragraph
5 3 "c":
5 4 \$ 1,000,000
5 5 Of the amount appropriated in this lettered paragraph,
5 6 \$50,000 shall be allocated equally to each library service
5 7 area.
5 8 b. To the public broadcasting division to upgrade and
5 9 replace mechanical equipment:
5 10 \$ 1,275,000

5 11 6. DEPARTMENT OF HUMAN SERVICES
5 12 For the renovation and construction of certain nursing
5 13 facilities, consistent with the provisions of chapter 249K, as
5 14 enacted in this Act:
5 15 \$ 1,000,000

5 16 7. IOWA FINANCE AUTHORITY
5 17 a. For grants for distribution for water quality
5 18 improvement projects for the wastewater treatment financial
5 19 assistance program pursuant to section 16.134:
5 20 \$ 4,000,000
5 21 b. For deposit into the housing trust fund created in
5 22 section 16.181:
5 23 \$ 2,500,000

5 24 8. IOWA STATE FAIR
5 25 For infrastructure improvements to the Iowa state
5 26 fairgrounds including but not limited to the construction of
5 27 an agricultural exhibition center on the Iowa state
5 28 fairgrounds:
5 29 \$ 3,000,000

5 30 9. DEPARTMENT OF NATURAL RESOURCES
5 31 a. For state park infrastructure renovations:
5 32 \$ 2,500,000
5 33 b. For implementation of lake projects that have
5 34 established watershed improvement initiatives and community
5 35 support in accordance with the department's annual lake
6 1 restoration plan and report, notwithstanding section 8.57,
6 2 subsection 6, paragraph "c":
6 3 \$ 8,600,000
6 4 Of the moneys appropriated in this lettered paragraph,
6 5 \$200,000 shall be used for the purposes of supporting a low
6 6 head dam public hazard improvement program. The moneys shall
6 7 be used to provide grants to local communities, including
6 8 counties and cities, for projects approved by the department.
6 9 (1) The department shall establish a grant application
6 10 process and shall require each local community applying for a
6 11 project grant to submit a project plan for the expenditure of
6 12 the moneys, and to file a report with the department regarding
6 13 the project, as required by the department.
6 14 (2) The department shall only award moneys on a matching
6 15 basis, pursuant to which the local community shall contribute
6 16 a dollar for each dollar awarded by the department, in order
6 17 to finance a project.
6 18 c. For infrastructure improvements for a state river
6 19 recreation area located in a county with a population between
6 20 21,900 and 22,100:
6 21 \$ 750,000
6 22 d. For lake dredging and related improvements including
6 23 ongoing dam maintenance and operation on a lake with public
6 24 access that has the support of a benefited lake district
6 25 located in a county with a population between 18,015 and
6 26 18,050 according to the 2005 population estimate issued by the
6 27 federal government, notwithstanding section 8.57, subsection
6 28 6, paragraph "c":
6 29 \$ 100,000
6 30 e. For the construction and installation of an angled
6 31 well, pumps, and piping to connect the existing infrastructure
6 32 from the new well to a lake located in a county with a
6 33 population between 87,500 and 88,000:
6 34 \$ 500,000

6 35 Moneys appropriated in this lettered paragraph are
7 1 contingent upon receipt of matching funds from a state taxing
7 2 authority surrounding such lake.

7 3 10. DEPARTMENT OF PUBLIC DEFENSE

7 4 a. For construction costs associated with the Camp Dodge

7 5 armed forces readiness center:

7 6 \$ 50,000

7 7 b. For construction costs associated with the new Iowa

7 8 City readiness center:

7 9 \$ 1,200,000

7 10 c. For renovation and modernization of the Waterloo

7 11 aviation readiness center:

7 12 \$ 500,000

7 13 d. For upgrades to the Camp Dodge water distribution

7 14 system:

7 15 \$ 400,000

7 16 e. For major maintenance projects at national guard

7 17 armories and facilities:

7 18 \$ 1,500,000

7 19 f. For renovation and modernization of the national guard

7 20 armory in Ottumwa:

7 21 \$ 1,000,000

7 22 g. For renovation and modernization of the Newton

7 23 readiness center:

7 24 \$ 400,000

7 25 h. For renovation and modernization of the Eagle Grove

7 26 readiness center:

7 27 \$ 400,000

7 28 i. For construction costs associated with the joint public

7 29 defense/Iowa law enforcement academy shoothouse:

7 30 \$ 500,000

7 31 j. For general infrastructure improvements at the gold

7 32 star museum at Camp Dodge:

7 33 \$ 1,000,000

7 34 11. DEPARTMENT OF PUBLIC SAFETY

7 35 a. For construction of an Iowa state patrol post in

8 1 district 8:

8 2 \$ 2,400,000

8 3 b. For construction of a state emergency response training

8 4 facility to be located in merged area XI:

8 5 \$ 2,000,000

8 6 c. To provide grants to regional emergency response

8 7 training centers established under section 100B.22 for

8 8 infrastructure improvements:

8 9 \$ 1,900,000

8 10 Of the amount appropriated in this lettered paragraph,

8 11 \$50,000 shall be allocated to northwest Iowa community

8 12 college.

8 13 Of the amount appropriated in this lettered paragraph,

8 14 \$50,000 shall be allocated to Iowa valley community college.

8 15 Moneys allocated in this lettered paragraph are contingent

8 16 upon the receipt of revised applications pursuant to section

8 17 100B.22 reflecting the merged areas added pursuant to this

8 18 Act.

8 19 12. SECRETARY OF STATE

8 20 For deposit into the voting machine reimbursement fund to

8 21 provide reimbursement to counties for the purposes authorized

8 22 in this subsection:

8 23 \$ 4,500,000

8 24 a. The moneys appropriated in this subsection shall be

8 25 used to reimburse counties for the cost of complying with

8 26 section 52.7, subsection 1, paragraph "1", if enacted by 2007

8 27 Iowa Acts, Senate File 369. The office of secretary of state

8 28 shall establish, by administrative rule, a procedure for

8 29 reimbursing counties for such costs. The rules adopted by the

8 30 office of secretary of state shall include but not be limited

8 31 to the following:

8 32 (1) That on or before June 15, 2007, the county board of

8 33 supervisors shall submit to the office of secretary of state a

8 34 resolution adopted by the board declaring the method by which

8 35 the county intends to comply with section 52.7, subsection 1,

9 1 paragraph "1", 2007 Iowa Acts, Senate File 369, if enacted.

9 2 (2) That when applying for reimbursement, a county shall

9 3 submit a receipt for the purchase and documentation relating

9 4 to any moneys received by the county or deducted from the

9 5 purchase price for a trade-in on equipment replaced as part of

9 6 the transaction required to comply with section 52.7,

9 7 subsection 1, paragraph "1", 2007 Iowa Acts, Senate File 369,

9 8 if enacted.

9 9 b. If any other federal funding is received for the same

9 10 or similar purposes authorized in paragraph "a", of the moneys

9 11 appropriated in this subsection, an amount equal to the

9 12 federal funding received shall revert to the rebuild Iowa

9 13 infrastructure fund at the end of the fiscal year.

9 14 c. A county shall not receive an amount of reimbursement
9 15 that exceeds the amount allotted to the county by the
9 16 secretary of state based on the conditions in paragraph "a",
9 17 subparagraphs (1) and (2).
9 18 d. On or before December 31, 2007, the secretary of state
9 19 shall submit a report to the chairpersons and ranking members
9 20 of the joint appropriations subcommittee on administration and
9 21 regulation regarding the expenditures of the moneys
9 22 appropriated in this subsection. The report shall also
9 23 include recommendations, if necessary, to the general assembly
9 24 for enacting waiver provisions for counties unable to comply
9 25 with the requirements of section 52.1, subsection 1, paragraph
9 26 "1", if enacted by 2007 Iowa Acts, Senate File 369.

9 27 13. STATE BOARD OF REGENTS
9 28 a. For allocation by the state board of regents to the
9 29 state university of Iowa, the Iowa state university of science
9 30 and technology, and the university of northern Iowa to
9 31 reimburse the institutions for deficiencies in their operating
9 32 funds resulting from the pledging of tuition, student fees and
9 33 charges, and institutional income to finance the cost of
9 34 providing academic and administrative buildings and facilities
9 35 and utility services at the institutions, notwithstanding
10 1 section 8.57, subsection 6, paragraph "c":
10 2 \$ 10,329,981
10 3 b. For costs associated with the establishment of the Iowa
10 4 institute for biomedical discovery at the state university of
10 5 Iowa:
10 6 \$ 10,000,000
10 7 c. For planning, design, and construction costs associated
10 8 with the construction of a new renewable fuels building at
10 9 Iowa state university of science and technology:
10 10 \$ 5,647,000

10 11 14. DEPARTMENT OF TRANSPORTATION
10 12 a. For acquiring, constructing, and improving recreational
10 13 trails within the state:
10 14 \$ 2,000,000
10 15 b. For infrastructure improvements at the commercial air
10 16 service airports within the state:
10 17 \$ 1,500,000
10 18 Fifty percent of the funds appropriated in this lettered
10 19 paragraph shall be allocated equally between each commercial
10 20 air service airport, 40 percent of the funds shall be
10 21 allocated based on the percentage that the number of enplaned
10 22 passengers at each commercial air service airport bears to the
10 23 total number of enplaned passengers in the state during the
10 24 previous fiscal year, and 10 percent of the funds shall be
10 25 allocated based upon the percentage that the air cargo tonnage
10 26 at each commercial air service airport bears to the total air
10 27 cargo tonnage in the state during the previous fiscal year.
10 28 In order for a commercial air service airport to receive
10 29 funding under this lettered paragraph, the airport shall be
10 30 required to submit applications for funding of specific
10 31 projects to the department for approval by the state
10 32 transportation commission.
10 33 c. For infrastructure improvements at general aviation
10 34 airports within the state:
10 35 \$ 750,000

11 1 d. For deposit into the railroad revolving loan and grant
11 2 fund created in section 327H.20A notwithstanding section 8.57,
11 3 subsection 6, paragraph "c":
11 4 \$ 2,000,000
11 5 It is the intent of the general assembly that the moneys
11 6 appropriated in this lettered paragraph shall be used to
11 7 generate at least \$10,000,000 in vertical infrastructure
11 8 capital investments.

11 9 15. TREASURER OF STATE
11 10 For county fair infrastructure improvements for
11 11 distribution in accordance with chapter 174 to qualified fairs
11 12 which belong to the association of Iowa fairs:
11 13 \$ 1,590,000

11 14 16. DEPARTMENT OF VETERANS AFFAIRS
11 15 For vertical infrastructure improvements and construction
11 16 of resident living areas at the Iowa veterans home consistent
11 17 with the Iowa veterans home comprehensive plan, contingent
11 18 upon submission of a report by the department by January 15,
11 19 2008, to the general assembly detailing the estimated costs,
11 20 timing of construction, and related improvements associated
11 21 with the Iowa veterans home comprehensive plan:
11 22 \$ 2,500,000
11 23 Sec. 2. REVERSION. Notwithstanding section 8.33, moneys
11 24 appropriated for the fiscal year beginning July 1, 2007, in

11 25 this division of this Act that remain unencumbered or
11 26 unobligated at the close of the fiscal year shall not revert
11 27 but shall remain available for the purposes designated until
11 28 the close of the fiscal year that begins July 1, 2010, or
11 29 until the project for which the appropriation was made is
11 30 completed, whichever is earlier.

11 31 Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is
11 32 appropriated from the rebuild Iowa infrastructure fund for the
11 33 fiscal year beginning July 1, 2008, and ending June 30, 2009,
11 34 the following amount, or so much thereof as is necessary, to
11 35 be used for the purpose designated:

12 1 For capital improvements at the civil commitment unit for
12 2 the sexual offenders facility at Cherokee:

12 3 \$ 829,000

12 4 Notwithstanding section 8.33, moneys appropriated in this
12 5 section shall not revert at the close of the fiscal year for
12 6 which they were appropriated but shall remain available for
12 7 the purposes designated until the close of the fiscal year
12 8 that begins July 1, 2011, or until the project for which the
12 9 appropriation was made is completed, whichever is earlier.

12 10 Sec. 4. DEPARTMENT OF NATURAL RESOURCES. There is
12 11 appropriated from the rebuild Iowa infrastructure fund for the
12 12 fiscal year beginning July 1, 2008, and ending June 30, 2009,
12 13 the following amount, or so much thereof as is necessary, to
12 14 be used for the purposes designated:

12 15 a. For infrastructure improvements for a state river
12 16 recreation area located in a county with a population between
12 17 21,900 and 22,100:

12 18 \$ 750,000

12 19 b. For the construction and installation of an angled
12 20 well, pumps, and piping to connect the existing infrastructure
12 21 from the new well to a lake located in a county with a
12 22 population between 87,500 and 88,000:

12 23 \$ 500,000

12 24 Moneys appropriated in this lettered paragraph are
12 25 contingent upon receipt of matching funds from a state taxing
12 26 authority surrounding such lake.

12 27 Notwithstanding section 8.33, moneys appropriated in this
12 28 section shall not revert at the close of the fiscal year for
12 29 which they were appropriated but shall remain available for
12 30 the purposes designated until the close of the fiscal year
12 31 that begins July 1, 2011, or until the project for which the
12 32 appropriation was made is completed, whichever is earlier.

12 33 Sec. 5. DEPARTMENT OF PUBLIC DEFENSE. There is
12 34 appropriated from the rebuild Iowa infrastructure fund for the
12 35 designated fiscal years, the following amounts, or so much
13 1 thereof as is necessary, to be used for the purposes
13 2 designated:

13 3 For infrastructure improvements at the gold star museum at
13 4 Camp Dodge:

13 5 FY 2008=2009..... \$ 2,000,000

13 6 FY 2009=2010..... \$ 1,000,000

13 7 Notwithstanding section 8.33, moneys appropriated in this
13 8 section shall not revert at the close of the fiscal year for
13 9 which they were appropriated but shall remain available for
13 10 the purposes designated until the close of the fiscal year
13 11 that begins July 1, 2012, or until the project for which the
13 12 appropriation was made is completed, whichever is earlier.

13 13 Sec. 6. STATE BOARD OF REGENTS. There is appropriated
13 14 from the rebuild Iowa infrastructure fund for the designated
13 15 fiscal years, the following amounts, or so much thereof as is
13 16 necessary, to be used for the purposes designated:

13 17 1. For costs associated with the establishment of the Iowa
13 18 institute for biomedical discovery at the state university of
13 19 Iowa:

13 20 FY 2008=2009..... \$ 10,000,000

13 21 FY 2009=2010..... \$ 10,000,000

13 22 2. For planning, design, and construction costs associated
13 23 with the construction of a new renewable fuels building at
13 24 Iowa state university of science and technology:

13 25 FY 2008=2009..... \$ 14,756,000

13 26 FY 2009=2010..... \$ 11,597,000

13 27 Up to \$4,000,000 of the moneys appropriated in this
13 28 subsection for the fiscal year beginning July 1, 2009, and
13 29 ending June 30, 2010, may be used for necessary and related
13 30 expenditures, including furnishings and scientific equipment,
13 31 notwithstanding section 8.57, subsection 6, paragraph "c".

13 32 Notwithstanding section 8.33, moneys appropriated in this
13 33 section for the fiscal year beginning July 1, 2008, and ending
13 34 June 30, 2009 shall not revert at the close of the fiscal year
13 35 for which they were appropriated but shall remain available

14 1 for the purposes designated until the close of the fiscal year
14 2 that begins July 1, 2011, or until the project for which the
14 3 appropriation was made is completed, whichever is earlier.
14 4 Notwithstanding section 8.33, moneys appropriated in this
14 5 section for the fiscal year beginning July 1, 2009, and ending
14 6 June 30, 2010, shall not revert at the close of the fiscal
14 7 year for which they were appropriated but shall remain
14 8 available for the purposes designated until the close of the
14 9 fiscal year that begins July 1, 2012, or until the project for
14 10 which the appropriation was made is completed, whichever is
14 11 earlier.

14 12 3. EFFECTIVE DATE. The provision of this division of this
14 13 Act appropriating moneys to the secretary of state for deposit
14 14 into the voting machine reimbursement fund, being deemed of
14 15 immediate importance, takes effect upon enactment.

14 16 DIVISION II
14 17 VERTICAL INFRASTRUCTURE FUND

14 18 Sec. 7. There is appropriated from the vertical
14 19 infrastructure fund to the state board of regents for the
14 20 fiscal year beginning July 1, 2007, and ending June 30, 2008,
14 21 the following amount, or so much thereof as is necessary, to
14 22 be used for the purposes designated:

14 23 1. For vertical infrastructure projects related to major
14 24 repairs and major maintenance including fire safety
14 25 improvements at state board of regents institutions and
14 26 facilities:

14 27 \$ 1,000,000

14 28 Of the amount appropriated in this subsection, \$500,000
14 29 shall be allocated to the state school for the deaf and
14 30 \$500,000 shall be allocated to the Iowa braille and sight
14 31 saving school for improvements to existing facilities for both
14 32 schools.

14 33 2. For vertical infrastructure expenses for the veterinary
14 34 diagnostic laboratory at Iowa state university of science and
14 35 technology:

15 1 \$ 1,000,000

15 2 Iowa state university of science and technology shall not
15 3 reduce the amount that it allocates to support the college of
15 4 veterinary medicine from any other source due to the
15 5 appropriation made in this subsection.

15 6 Sec. 8. REVERSION. Notwithstanding section 8.33, moneys
15 7 appropriated for the fiscal year beginning July 1, 2007, in
15 8 this division of this Act that remain unencumbered or
15 9 unobligated at the close of the fiscal year shall not revert
15 10 but shall remain available for the purposes designated until
15 11 the close of the fiscal year that begins July 1, 2010, or
15 12 until the project for which the appropriation was made is
15 13 completed, whichever is earlier.

15 14 DIVISION III
15 15 ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND

15 16 Sec. 9. There is appropriated from the endowment for
15 17 Iowa's health restricted capitals fund to the department of
15 18 corrections for the fiscal year beginning July 1, 2007, and
15 19 ending June 30, 2008, the following amounts, or so much
15 20 thereof as is necessary, to be used for the purposes
15 21 designated:

15 22 For costs associated with the remodeling of the kitchen
15 23 facility at the correctional facility located in Anamosa:

15 24 \$ 1,400,000

15 25 Sec. 10. TAX-EXEMPT STATUS == USE OF APPROPRIATIONS.
15 26 Payment of moneys from the appropriations in this division of
15 27 this Act shall be made in a manner that does not adversely
15 28 affect the tax-exempt status of any outstanding bonds issued
15 29 by the tobacco settlement authority.

15 30 Sec. 11. REVERSION. Notwithstanding section 8.33, moneys
15 31 appropriated for the fiscal year that begins July 1, 2007, in
15 32 this division of this Act that remain unencumbered or
15 33 unobligated at the close of the fiscal year shall not revert
15 34 but shall remain available for the purposes designated until
15 35 the close of the fiscal year that begins July 1, 2011, or
16 1 until the project for which the appropriation was made is
16 2 completed, whichever is earlier.

16 3 DIVISION IV
16 4 TECHNOLOGY REINVESTMENT FUND

16 5 Sec. 12. There is appropriated from the technology
16 6 reinvestment fund created in section 8.57C to the following
16 7 departments and agencies for the fiscal year beginning July 1,
16 8 2007, and ending June 30, 2008, the following amounts, or so
16 9 much thereof as is necessary, to be used for the purposes
16 10 designated:

16 11 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

16 12 a. For technology improvement projects:
16 13 \$ 4,010,375
16 14 b. For costs to establish a service-oriented architecture:
16 15 \$ 254,992
16 16 2. DEPARTMENT OF CORRECTIONS
16 17 For costs associated with the Iowa corrections offender
16 18 network data system:
16 19 \$ 500,000
16 20 3. DEPARTMENT OF EDUCATION
16 21 a. For implementation of the provisions of chapter 280A:
16 22 \$ 500,000
16 23 b. For maintenance and lease costs associated with
16 24 connections for Part III of the Iowa communications network:
16 25 \$ 2,727,000
16 26 c. For the implementation of an educational data warehouse
16 27 that will be utilized by teachers, parents, school district
16 28 administrators, area education agency staff, department of
16 29 education staff, and policymakers:
16 30 \$ 600,000
16 31 4. DEPARTMENT OF HUMAN RIGHTS
16 32 For the cost of equipment and computer software for the
16 33 implementation of Iowa's criminal justice information system:
16 34 \$ 2,881,466
16 35 5. DEPARTMENT OF HUMAN SERVICES
17 1 For the purchase of payment processing equipment for the
17 2 child support recovery unit:
17 3 \$ 272,000
17 4 6. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION
17 5 For replacement of equipment for the Iowa communications
17 6 network:
17 7 \$ 2,067,000
17 8 The commission may continue to enter into contracts
17 9 pursuant to section 8D.13 for the replacement of equipment and
17 10 for operations and maintenance costs of the network.
17 11 7. IOWA WORKFORCE DEVELOPMENT
17 12 a. For costs associated with the automated workers'
17 13 compensation appeal processing system:
17 14 \$ 500,000
17 15 b. For the purchase of computer hardware and software for
17 16 the outcome tracking system:
17 17 \$ 380,000
17 18 8. DEPARTMENT OF PUBLIC DEFENSE
17 19 For information technology upgrades for the Iowa national
17 20 guard:
17 21 \$ 111,000
17 22 9. DEPARTMENT OF PUBLIC SAFETY
17 23 a. For continuation of payments on the lease of the
17 24 automated fingerprint identification system:
17 25 \$ 560,000
17 26 b. For information technology hardware and software
17 27 upgrades for the department of public safety:
17 28 \$ 1,900,000
17 29 10. STATE BOARD OF REGENTS. For allocation by the state
17 30 board of regents to the university of northern Iowa to
17 31 purchase mobile computer labs to serve communities statewide,
17 32 replace technology equipment, and build advanced technology
17 33 resources associated with MyEntreNet:
17 34 \$ 235,000
17 35 Sec. 13. REVERSION. Notwithstanding section 8.33, moneys
18 1 appropriated for the fiscal year beginning July 1, 2007, in
18 2 this division of this Act that remain unencumbered or
18 3 unobligated at the close of the fiscal year shall not revert
18 4 but shall remain available for the purposes designated until
18 5 the close of the fiscal year beginning July 1, 2009, or until
18 6 the project for which the appropriation was made is completed,
18 7 whichever is earlier.

18 8 DIVISION V

18 9 MISCELLANEOUS APPROPRIATIONS

18 10 Sec. 14. STATE AVIATION FUND == DEPARTMENT OF
18 11 TRANSPORTATION. There is appropriated from the state aviation
18 12 fund created in section 328.56, as enacted in 2006 Iowa Acts,
18 13 chapter 1179, section 57, to the department of transportation
18 14 to assist an aviation authority that has lost service of a
18 15 federally funded essential air service carrier to regain daily
18 16 enplanement rates:
18 17 \$ 20,000

18 18 DIVISION VI

18 19 CHANGES TO PRIOR APPROPRIATIONS

18 20 Sec. 15. 2001 Iowa Acts, chapter 185, section 30, as
18 21 amended by 2005 Iowa Acts, chapter 178, section 22, and 2006
18 22 Iowa Acts, chapter 1179, section 27, is amended to read as

18 23 follows:

18 24 SEC. 30. REVERSION.

18 25 1. Except as provided in ~~subsection 2 and 3~~
18 26 and notwithstanding section 8.33, moneys appropriated in this
18 27 division of this Act shall not revert at the close of the
18 28 fiscal year for which they were appropriated but shall remain
18 29 available for the purposes designated until the close of the
18 30 fiscal year that begins July 1, 2004, or until the project for
18 31 which the appropriation was made is completed, whichever is
18 32 earlier.

18 33 2. Notwithstanding section 8.33, moneys appropriated in
18 34 section 25, subsection 3, paragraph "b", ~~and section 28~~ of
18 35 this division of this Act shall not revert at the close of the
19 1 fiscal year for which they were appropriated but shall remain
19 2 available for the purpose designated until the close of the
19 3 fiscal year that begins July 1, 2006, or until the project for
19 4 which the appropriation was made is completed, whichever is
19 5 earlier.

19 6 3. Notwithstanding section 8.33, moneys appropriated in
19 7 section 28 of this division of this Act shall not revert at
19 8 the close of the fiscal year for which they were appropriated
19 9 but shall remain available for the purpose designated until
19 10 the close of the fiscal year that begins July 1, 2007, or
19 11 until the project for which the appropriation was made is
19 12 completed, whichever is earlier.

19 13 Sec. 16. 2003 Iowa Acts, chapter 177, section 22,
19 14 subsection 13, is amended to read as follows:

19 15 13. REVERSION.

19 16 1. Notwithstanding Except as provided in subsection 2 and
19 17 notwithstanding section 8.33, moneys appropriated in this
19 18 section shall not revert at the close of the fiscal year for
19 19 which they were appropriated but shall remain available for
19 20 the purposes designated until the close of the fiscal year
19 21 that begins July 1, 2006, or until the project for which the
19 22 appropriation was made is completed, whichever is earlier.

19 23 2. Notwithstanding section 8.33, moneys appropriated in
19 24 subsection 2 and subsection 9, paragraph "c", shall not revert
19 25 at the close of the fiscal year for which they were
19 26 appropriated but shall remain available for the purpose
19 27 designated until the close of the fiscal year that begins July
19 28 1, 2007, or until the project for which the appropriation was
19 29 made is completed, whichever is earlier.

19 30 Sec. 17. 2003 Iowa Acts, chapter 177, section 23,
19 31 subsection 3, as amended by 2004 Iowa Acts, chapter 1175,
19 32 section 309, is amended to read as follows:

19 33 3. Notwithstanding section 8.33, moneys appropriated in
19 34 this section shall not revert at the close of the fiscal year
19 35 for which they were appropriated, but shall remain available
20 1 for the purpose designated until the close of the fiscal year
20 2 that begins July 1, ~~2006~~ 2007, or until the project for which
20 3 the appropriation was made is completed, whichever is earlier.

20 4 Sec. 18. 2005 Iowa Acts, chapter 178, section 19,
20 5 subsection 3, is amended to read as follows:

20 6 3. REVERSION.

20 7 1. Notwithstanding Except as provided in subsection 2 and
20 8 notwithstanding section 8.33, moneys appropriated in this
20 9 section shall not revert at the close of the fiscal year for
20 10 which they were appropriated but shall remain available for
20 11 the purposes designated until the close of the fiscal year
20 12 that begins July 1, 2006, or until the project for which the
20 13 appropriation was made is completed, whichever is earlier.

20 14 2. Notwithstanding section 8.33, moneys appropriated in
20 15 subsection 1, paragraph "a", subparagraph (1), and subsection
20 16 1, paragraph "g", shall not revert at the close of the fiscal
20 17 year for which they were appropriated but shall remain
20 18 available for the purpose designated until the close of the
20 19 fiscal year that begins July 1, 2007, or until the project for
20 20 which the appropriation was made is completed, whichever is
20 21 earlier.

20 22 Sec. 19. 2006 Iowa Acts, chapter 1179, section 1,
20 23 subsection 12, paragraph h, is amended to read as follows:

20 24 h. To provide a grant for the design, construction of, and
20 25 purchasing equipment for, a facility to be used exclusively
20 26 for processing novel proteins from agricultural products for
20 27 pharmaceutical, nutraceutical, or chemical applications and
20 28 for bioprocessing other feedstocks important for biofuels
20 29 production and processing:

20 30 \$ 1,000,000

20 31 Sec. 20. 2006 Iowa Acts, chapter 1179, section 5, is
20 32 amended to read as follows:

20 33 SEC. 5. DEPARTMENT OF ADMINISTRATIVE SERVICES. There is

20 34 appropriated from the rebuild Iowa infrastructure fund to the
 20 35 department of administrative services for the designated
 21 1 fiscal years, the following amounts, or so much thereof as is
 21 2 necessary, to be used for the purposes designated:
 21 3 For planning, design, and construction costs associated
 21 4 with the construction of a new approximately
 21 5 350,000=gross=square=foot state office building, including
 21 6 costs associated with furnishings, employee relocation, and
 21 7 the demolition of the Wallace Building:
 21 8 FY 2007=2008..... \$ 16,100,000
 21 9 4,100,000
 21 10 FY 2008=2009..... \$ 16,800,000
 21 11 22,800,000
 21 12 FY 2009=2010..... \$ 6,657,100
 21 13 12,657,100

21 14 Notwithstanding section 8.33, moneys appropriated in this
 21 15 section shall not revert at the close of the fiscal year for
 21 16 which they were appropriated but shall remain available for
 21 17 the purposes designated until the close of the fiscal year
 21 18 that begins July 1, 2011, or until the project for which the
 21 19 appropriation was made is completed, whichever is earlier.

21 20 The design specifications of the new state office building
 21 21 shall include, at a minimum, energy efficiency specifications
 21 22 that exceed state building code requirements and have the
 21 23 potential for leadership in energy and environmental design
 21 24 silver certification from the United States green building
 21 25 council.

21 26 Sec. 21. 2006 Iowa Acts, chapter 1179, section 16,
 21 27 subsection 1, paragraph b, Code 2007, is amended to read as
 21 28 follows:

21 29 b. For planning, design, and construction costs associated
 21 30 with the construction of a new approximately
 21 31 350,000=gross=square=foot state office building:
 21 32 \$ 37,585,000

21 33 (1) Of the amount appropriated in this lettered paragraph,
 21 34 up to \$750,000 may be used by the department to provide an
 21 35 earnest deposit on the purchase of no more than ten acres of
 22 1 certain property adjacent to the capitol complex and generally
 22 2 located north of grand avenue and between east 12th and east
 22 3 14th street, if such purchase is made; to provide for parking
 22 4 lot improvements necessary to facilitate an exchange of
 22 5 property consistent with the planned construction of the new
 22 6 state office building; and to provide for the demolition of a
 22 7 structure located on the property to be used for the
 22 8 construction of the new state office building or to provide
 22 9 for the sale by auction and relocation of such structure in an
 22 10 effort to reduce or eliminate the costs associated with the
 22 11 removal of such structure from the property. Any amount
 22 12 received from the sale of a structure as permitted under this
 22 13 lettered paragraph shall be retained by the department for the
 22 14 use specified for the moneys appropriated pursuant to this
 22 15 lettered paragraph.

22 16 (2) Upon the department's decision to purchase property as
 22 17 described in subparagraph (1), the department shall determine
 22 18 the feasibility of including all or a portion of any amount
 22 19 expended pursuant to subparagraph (1) in the financing
 22 20 mechanism to be used by the department to complete such
 22 21 purchase. The department shall provide a report to the
 22 22 department of management and the legislative services agency
 22 23 that includes the results of the department's determination.

22 24 Notwithstanding provisions of law to the contrary, the
 22 25 department is hereby authorized to honor and maintain existing
 22 26 leases located on property to be acquired by the department if
 22 27 such property is acquired, as long as such leased property is
 22 28 used for providing health care and pharmaceutical services to
 22 29 citizens in the community. Such leases may be maintained for
 22 30 a period deemed appropriate by the director of the department,
 22 31 but in no case shall such leases continue or be renewed for a
 22 32 period of more than ten years or if a lessee of the property
 22 33 ceases to occupy such property or provide such services.

22 34 Sec. 22. 2006 Iowa Acts, chapter 1179, section 16,
 22 35 subsection 12, is amended to read as follows:

23 1 12. DEPARTMENT OF VETERANS AFFAIRS
 23 2 For capital improvement projects at the Iowa veterans home:
 23 3 \$ 6,200,000

23 4 Of the moneys appropriated in this subsection, the
 23 5 department shall use an amount necessary for planning and
 23 6 design services related to the construction of new facilities
 23 7 at the Iowa veterans home consistent with the Iowa veterans
 23 8 home comprehensive plan. The department shall submit a report
 23 9 by January 15, 2008, to the general assembly, the department

23 10 of management, and the legislative services agency detailing
23 11 the estimated costs and timing of construction and related
23 12 improvements associated with the project consistent with the
23 13 Iowa veterans home comprehensive plan.

23 14 It is the intent of the general assembly to provide state
23 15 match requirements necessary for the construction and repair
23 16 of buildings and facilities at the Iowa veterans home that
23 17 results in the improved care and living standards of veterans
23 18 residing at the Iowa veterans home. Upon receipt of the
23 19 estimated construction and facility improvement costs at the
23 20 Iowa veterans home, it is the intent of the general assembly
23 21 to explore funding options for completion of the Iowa veterans
23 22 home projects including but not limited to bonding.

23 23 Sec. 23. 2006 Iowa Acts, chapter 1179, section 19, is
23 24 amended to read as follows:

23 25 SEC. 19. REPORT. Annually, on or before January 15 of
23 26 each year, a state agency that received an appropriation from
23 27 the endowment for Iowa's health restricted capitals fund for
23 28 the preceding fiscal year shall report to the joint
23 29 transportation, infrastructure, and capitals appropriation
23 30 subcommittee, the legislative services agency, and the
23 31 department of management, and the legislative capital projects
23 32 committee of the legislative council the status of all ongoing
23 33 projects for which an appropriation from the fund has been
23 34 made completed or in progress. The report shall include a
23 35 description of the project, the progress of work completed,
24 1 the total estimated cost of the project, a list of all revenue
24 2 sources being used to fund the project, the amount of funds
24 3 expended, the amount of funds obligated, and the date the
24 4 project was completed or an estimated completion date of the
24 5 project, where applicable.

24 6 Sec. 24. 2006 Iowa Acts, chapter 1179, section 24,
24 7 subsection 1, is amended to read as follows:

24 8 1. DEPARTMENT OF NATURAL RESOURCES

24 9 a. For implementation of lake projects that have
24 10 established watershed improvement initiatives and community
24 11 support in accordance with the department's annual lake
24 12 restoration plan and report:

24 13 \$ 8,600,000

24 14 It is the intent of the general assembly that all lake
24 15 restoration projects that satisfy the criteria required in
24 16 section 456A.33B and whose project designers worked with the
24 17 department to develop an action plan prior to January 1, 2006,
24 18 shall be funded in the amounts and according to the timeline
24 19 for fiscal year 2006=2007 provided in the department's Iowa
24 20 lakes restoration report submitted to the Eighty-first General
24 21 Assembly.

24 22 Of the amounts appropriated in this subsection lettered
24 23 paragraph, at least the following amounts shall be allocated
24 24 as follows:

24 25 a- (1) For clear lake in Cerro Gordo county:
24 26 \$ 4,000,000

24 27 b- (2) For storm lake in Buena Vista county:
24 28 \$ 500,000

24 29 c- (3) For crystal lake in Hancock county:
24 30 \$ 1,400,000

24 31 d- (4) For the purposes of contracting with qualified
24 32 persons outside the department to conduct use attainability
24 33 analyses in conformance with section 455B.176A, as enacted in
24 34 2006 Iowa Acts, Senate File 2363, if enacted, or in any other
24 35 Act of the Eighty-first General Assembly, 2006 Session:
25 1 \$ 750,000

25 2 b. Notwithstanding section 8.33, moneys appropriated in
25 3 this subsection that remain unencumbered or unobligated at the
25 4 close of the fiscal year shall not revert but shall remain
25 5 available for the purposes designated until the close of the
25 6 fiscal year that begins July 1, 2009, or until the project for
25 7 which the appropriation was made is completed, whichever is
25 8 earlier.

25 9 DIVISION VII
25 10 MISCELLANEOUS CODE CHANGES

25 11 Sec. 25. Section 8.57, subsection 6, paragraph h, Code
25 12 2007, is amended to read as follows:

25 13 h. Annually, on or before January 15 of each year, a
25 14 state agency that received an appropriation from the rebuild
25 15 Iowa infrastructure fund for the preceding fiscal year shall
25 16 report to the joint transportation, infrastructure, and
25 17 capitals appropriation subcommittee, the legislative services
25 18 agency, and the department of management, and the legislative
25 19 capital projects committee of the legislative council the
25 20 status of all ongoing projects for which an appropriation from

~~25 21 the fund has been made completed or in progress. The report~~
25 22 shall include a description of the project, the progress of
25 23 work completed, the total estimated cost of the project, a
25 24 list of all revenue sources being used to fund the project,
25 25 the amount of funds expended, the amount of funds obligated,
25 26 and the date the project was completed or an estimated
25 27 completion date of the project, where applicable.

25 28 Sec. 26. Section 8.57A, subsection 5, Code 2007, is
25 29 amended to read as follows:

25 30 5. Annually, on or before January ~~±~~ 15 of each year, a
25 31 state agency that received an appropriation from the
25 32 environment first fund ~~for the preceding fiscal year~~ shall
25 33 report to the ~~joint transportation, infrastructure, and~~
25 34 ~~capitals appropriation subcommittee, the legislative services~~
25 35 ~~agency, and the department of management, and the legislative~~
26 1 ~~capital projects committee of the legislative council the~~
26 2 status of all ongoing projects for which an appropriation from
26 3 ~~the fund has been made completed or in progress. The report~~
26 4 shall include a description of the project, the progress of
26 5 work completed, the total estimated cost of the project, a
26 6 list of all revenue sources being used to fund the project,
26 7 the amount of funds expended, the amount of funds obligated,
26 8 and the date the project was completed or an estimated
26 9 completion date of the project, where applicable.

26 10 Sec. 27. Section 8.57B, subsection 5, Code 2007, is
26 11 amended to read as follows:

26 12 5. Annually, on or before January ~~±~~ 15 of each year, a
26 13 state agency that received an appropriation from the vertical
26 14 infrastructure fund ~~for the preceding fiscal year~~ shall report
26 15 to the ~~joint transportation, infrastructure, and capitals~~
26 16 ~~appropriation subcommittee, the legislative services agency,~~
26 17 ~~and the department of management, and the legislative capital~~
26 18 ~~projects committee of the legislative council the status of~~
26 19 all ongoing projects for which an appropriation from the fund
26 20 ~~has been made completed or in progress. The report shall~~
26 21 include a description of the project, the progress of work
26 22 completed, the total estimated cost of the project, a list of
26 23 all revenue sources being used to fund the project, the amount
26 24 of funds expended, the amount of funds obligated, and the date
26 25 the project was completed or an estimated completion date of
26 26 the project, where applicable.

26 27 Sec. 28. Section 8.57C, subsection 4, Code 2007, is
26 28 amended to read as follows:

26 29 4. Annually, on or before January ~~±~~ 15 of each year, a
26 30 state agency that received an appropriation from this fund ~~for~~
26 31 ~~the preceding fiscal year~~ shall report to the ~~joint~~
26 32 ~~transportation, infrastructure, and capitals appropriation~~
26 33 ~~subcommittee, the legislative services agency, and the~~
26 34 ~~department of management, and the legislative capital projects~~
26 35 ~~committee of the legislative council the status of all ongoing~~
27 1 projects for which an appropriation from this fund has been
27 2 ~~made completed or in progress. The report shall include a~~
27 3 description of the project, the progress of work completed,
27 4 the total estimated cost of the project, a list of all revenue
27 5 sources being used to fund the project, the amount of funds
27 6 expended, the amount of funds obligated, and the date the
27 7 project was completed or an estimated completion date of the
27 8 project, where applicable.

27 9 Sec. 29. Section 8A.321, subsection 11, Code 2007, is
27 10 amended to read as follows:

27 11 11. Prepare annual status reports for all ~~ongoing~~ capital
27 12 projects in progress of the department, and submit the status
27 13 reports to the ~~joint transportation, infrastructure, and~~
27 14 ~~capitals appropriation subcommittee legislative services~~
27 15 ~~agency and the department of management on or before January~~
27 16 15 of each year.

27 17 Sec. 30. Section 100B.22, subsection 1, paragraphs c and
27 18 h, Code 2007, are amended to read as follows:

27 19 c. Iowa lakes community college for merged area III and
27 20 northwest Iowa community college for merged area IV.

27 21 h. Des Moines area community college for merged area XI
27 22 and Iowa valley community college for merged area VI and to
27 23 provide advanced training in operations integration in
27 24 compliance with the national incident management system as
27 25 such advanced training is funded by the homeland security and
27 26 emergency management division of the department of public
27 27 defense.

27 28 Sec. 31. NEW SECTION. 47.9 VOTING MACHINE REIMBURSEMENT
27 29 FUND.

27 30 A voting machine reimbursement fund is established in the
27 31 office of the treasurer of state. Moneys in the fund shall be

27 32 expended to reimburse counties for the costs of complying with
27 33 section 52.7, subsection 1, paragraph "1", if enacted by 2007
27 34 Iowa Acts, Senate File 369. The office of secretary of state
27 35 shall establish, by administrative rule, a procedure for
28 1 reimbursing counties for such costs. Notwithstanding section
28 2 8.33, moneys in the voting machine reimbursement fund shall
28 3 not revert but shall remain available indefinitely for
28 4 expenditure under this section.

28 5 Sec. 32. NEW SECTION. 249K.1 PURPOSE == INTENT.

28 6 The purpose of this chapter is to provide a mechanism to
28 7 support the appropriate number of nursing facility beds for
28 8 the state's citizens and to financially assist nursing
28 9 facilities in remaining compliant with applicable regulations.
28 10 It is the intent of this chapter that the administrative
28 11 burden on both the state and nursing facilities be minimal.

28 12 Sec. 33. NEW SECTION. 249K.2 DEFINITIONS.

28 13 As used in this chapter, unless the context otherwise
28 14 requires:

28 15 1. "Complete replacement" means completed construction on
28 16 a new nursing facility to replace an existing licensed and
28 17 certified facility. The replacement facility shall be located
28 18 in the same geographical service area as the facility that is
28 19 replaced and shall have the same number or fewer licensed beds
28 20 than the original facility.

28 21 2. "Department" means the department of human services.

28 22 3. "Iowa Medicaid enterprise" means Iowa Medicaid
28 23 enterprise as defined in section 249J.3.

28 24 4. "Major renovations" means construction or facility
28 25 improvements to a nursing facility in which the total amount
28 26 expended exceeds one million five hundred thousand dollars.

28 27 5. "Medical assistance" or "medical assistance program"
28 28 means the medical assistance program created pursuant to
28 29 chapter 249A.

28 30 6. "New construction" means the construction of a new
28 31 nursing facility which does not replace an existing licensed
28 32 and certified facility and requires the provider to obtain a
28 33 certificate of need pursuant to chapter 135, division VI.

28 34 7. "Nondirect care component" means the portion of the
28 35 reimbursement rate under the medical assistance program
29 1 attributable to administrative, environmental, property, and
29 2 support care costs reported on the provider's financial and
29 3 statistical report.

29 4 8. "Nursing facility" means a nursing facility as defined
29 5 in section 135C.1.

29 6 9. "Provider" means a current or future owner or operator
29 7 of a nursing facility that provides medical assistance program
29 8 services.

29 9 10. "Rate determination letter" means the letter that is
29 10 distributed quarterly by the Iowa Medicaid enterprise to each
29 11 nursing facility, which is based on previously submitted
29 12 financial and statistical reports from each nursing facility.

29 13 Sec. 34. NEW SECTION. 249K.3 GENERAL PROVISIONS ==
29 14 INSTANT RELIEF == NONDIRECT CARE LIMIT EXCEPTION.

29 15 1. A provider that constructs a complete replacement,
29 16 makes major renovations to or newly constructs a nursing
29 17 facility may be entitled to the rate relief and exceptions
29 18 provided under this chapter. The total period during which a
29 19 provider may participate in any relief shall not exceed two
29 20 years. The total period during which a provider may
29 21 participate in any nondirect care limit exception shall not
29 22 exceed ten years. A provider seeking assistance under this
29 23 chapter may request both instant relief and the nondirect care
29 24 limit exception.

29 25 2. If the provider requests instant relief, the following
29 26 provisions shall apply:

29 27 a. The provider shall submit a written request for instant
29 28 relief to the Iowa Medicaid enterprise explaining the nature,
29 29 timing, and goals of the project and the time period during
29 30 which the relief is requested. The written request shall
29 31 clearly state if the provider is also requesting the nondirect
29 32 care limit exception. The written request for instant relief
29 33 shall be submitted no earlier than thirty days prior to the
29 34 placement of the provider's assets in service. The written
29 35 request for relief shall provide adequate details to calculate
30 1 the estimated value of relief including but not limited to the
30 2 total cost of the project, the estimated annual depreciation
30 3 expenses using generally accepted accounting principles, the
30 4 estimated useful life based upon existing medical assistance
30 5 and Medicare provisions, and a copy of the most current
30 6 depreciation schedule. If interest expenses are included, a
30 7 copy of the general terms of the debt service and the

30 8 estimated annual amount of the interest expenses shall be
30 9 submitted with the written request for relief.

30 10 b. The following shall apply to the value of relief
30 11 amount:

30 12 (1) If interest expenses are disclosed, the amount of
30 13 these expenses shall be added to the value of relief.

30 14 (2) The calculation of the estimated value of relief shall
30 15 take into consideration the removal of existing assets and
30 16 debt service.

30 17 (3) The calculation of the estimated value of relief shall
30 18 be demonstrated as an amount per patient day to be added to
30 19 the nondirect care component for the relevant period. The
30 20 estimated annual patient days for this calculation shall be
30 21 determined based upon budgeted amounts or the most recent
30 22 annual total as demonstrated on the provider's Medicaid
30 23 financial and statistical report. For the purposes of
30 24 calculating the per diem relief, total patient days shall be
30 25 the greater of the estimated annual patient days or
30 26 eighty-five percent of the facility's estimated licensed
30 27 capacity.

30 28 (4) The combination of the nondirect care component and
30 29 the estimated value of relief shall not exceed one hundred and
30 30 ten percent of the nondirect care median for the relevant
30 31 period. If a nondirect care limit exception has been
30 32 requested and granted, the combination of the nondirect care
30 33 component and the estimated value of relief shall not exceed
30 34 one hundred twenty percent of the nondirect care median for
30 35 the relevant period.

31 1 c. Instant relief granted under this subsection shall
31 2 begin the first day of the calendar quarter following
31 3 placement of the provider's assets in service. If the
31 4 required information to calculate the instant relief, as
31 5 specified in paragraph "a", is not submitted prior to the
31 6 first day of the calendar quarter following placement of the
31 7 provider's assets in service, instant relief shall instead
31 8 begin on the first day of the calendar quarter following
31 9 receipt of the required information.

31 10 d. Instant relief granted under this subsection shall be
31 11 terminated at the time of the provider's subsequent biannual
31 12 rebasing when the submission of the annual cost report for the
31 13 provider includes the new replacement costs and the annual
31 14 property costs reflect the new assets.

31 15 e. During the period in which instant relief is granted,
31 16 the Iowa Medicaid enterprise shall recalculate the value of
31 17 the instant relief based on allowable costs and patient days
31 18 reported on the annual financial and statistical report. For
31 19 purposes of calculating the per diem relief, total patient
31 20 days shall be the greater of actual annual patient days or
31 21 eighty-five percent of the facility's licensed capacity. The
31 22 actual value of relief shall be added to the nondirect care
31 23 component for the relevant period, not to exceed one hundred
31 24 ten percent of the nondirect care median for the relevant
31 25 period or not to exceed one hundred twenty percent of the
31 26 nondirect care median for the relevant period if the nondirect
31 27 care limit exception is requested and granted. The provider's
31 28 quarterly rates for the relevant period shall be retroactively
31 29 adjusted to reflect the revised nondirect care rate. All
31 30 claims with dates of service from the date that instant relief
31 31 is granted to the date that the instant relief is terminated
31 32 shall be repriced to reflect the actual value of the instant
31 33 relief per diem utilizing a mass adjustment.

31 34 3. If the provider requests the nondirect care limit
31 35 exception, all of the following shall apply:

32 1 a. The nondirect care limit for the rate setting period
32 2 shall be increased to one hundred and twenty percent of the
32 3 median for the relevant period.

32 4 b. The exception period shall not exceed a period of two
32 5 years. If the provider is requesting only the nondirect care
32 6 limit exception, the request shall be submitted within sixty
32 7 days of the release of the July 1 rate determination letters
32 8 following each biannual rebasing cycle, and shall be effective
32 9 the first day of the month following receipt of the request.
32 10 If applicable, the provider shall identify any time period in
32 11 which instant relief was granted and shall indicate how many
32 12 times the instant relief or nondirect care limit exception was
32 13 granted previously.

32 14 Sec. 35. NEW SECTION. 249K.4 PRELIMINARY EVALUATION.

32 15 1. A provider preparing cost or other feasibility
32 16 projections for a request for relief or an exception pursuant
32 17 to section 249K.3 may submit a request for preliminary
32 18 evaluation.

32 19 2. The request shall contain all of the information
32 20 required for the type of assistance sought pursuant to section
32 21 249K.3.

32 22 3. The provider shall estimate the timing of the
32 23 initiation and completion of the project to allow the
32 24 department to respond with estimates of both instant relief
32 25 and the nondirect care limit exception.

32 26 4. The department shall respond to a request for
32 27 preliminary evaluation under this section within thirty days
32 28 of receipt of the request. A preliminary evaluation does not
32 29 guarantee approval of instant relief or the nondirect care
32 30 limit exception upon submission of a formal request. A
32 31 preliminary evaluation provides only an estimate of value of
32 32 the instant relief or nondirect care limit exception based
32 33 only on the projections.

32 34 Sec. 36. NEW SECTION. 249K.5 PARTICIPATION CRITERIA.

32 35 1. The Iowa Medicaid enterprise shall administer this
33 1 chapter. The department of human services shall adopt rules,
33 2 pursuant to chapter 17A, to administer this chapter.

33 3 2. A provider requesting instant relief or a nondirect
33 4 care limit exception under this chapter shall meet one of the
33 5 following criteria:

33 6 a. The nursing facility for which relief or an exception
33 7 is requested is in violation of life safety code requirements
33 8 and changes are necessary to meet regulatory compliance.

33 9 b. The nursing facility for which relief or an exception
33 10 is requested is proposing development of a home and
33 11 community-based services waiver program service that meets the
33 12 following requirements:

33 13 (1) The service is provided on the direct site and is a
33 14 nonnursing service.

33 15 (2) The service is provided in an underserved area, which
33 16 may include a rural area, and the nursing facility provides
33 17 documentation of this.

33 18 (3) The service meets all federal and state requirements.

33 19 (4) The service is adult day care, consumer directed
33 20 attendant care, assisted living, day habilitation, home
33 21 delivered meals, personal emergency response, or respite.

33 22 3. In addition to any other factors to be considered in
33 23 determining if a provider is eligible to participate under
33 24 this chapter, the Iowa Medicaid enterprise shall consider all
33 25 of the following:

33 26 a. The history of the provider's regulatory compliance.

33 27 b. The historical access to nursing facility services for
33 28 medical assistance program beneficiaries.

33 29 c. The provider's dedication to and participation in
33 30 quality of care, considering all quality programs in which the
33 31 provider has participated.

33 32 d. The provider's plans to facilitate person-directed
33 33 care.

33 34 e. The provider's plans to facilitate dementia units and
33 35 specialty post-acute services.

34 1 4. a. Any relief or exception granted under this chapter
34 2 is temporary and shall be immediately terminated if all of the
34 3 participation requirements under this chapter are not met.

34 4 b. If a provider's medical assistance program or Medicare
34 5 certification is revoked, any existing exception or relief
34 6 shall be terminated and the provider shall not be eligible to
34 7 request subsequent relief or an exception under this chapter.

34 8 5. Following a change in ownership, relief or an exception
34 9 previously granted shall continue and future rate calculations
34 10 shall be determined under the provisions of 441 IAC 81.6(12)
34 11 relating to termination or change of ownership of a nursing
34 12 facility.

34 13 Sec. 37. Section 328.56, subsection 2, as enacted by 2006
34 14 Iowa Acts, chapter 1179, section 57, is amended to read as
34 15 follows:

34 16 2. Moneys in the ~~state aviation fund in a fiscal year~~
~~shall be used as appropriated by the general assembly are~~
34 18 ~~appropriated to the department of transportation for use by~~
34 19 ~~the department for airport engineering studies, construction~~
34 20 ~~or improvements, and the windsock program for public airports~~
34 21 ~~and marketing at commercial service airports.~~ In awarding
34 22 moneys, the department shall give preference to projects that
34 23 demonstrate a collaborative effort between airports.

34 24 Sec. 38. IMPLEMENTATION == LIMITATION.

34 25 1. Chapter 249K, as enacted by this division of this Act,
34 26 shall only be implemented if the department of human services
34 27 receives approval from the centers for Medicare and Medicaid
34 28 services of the United States department of health and human
34 29 services for a medical assistance state plan amendment. If

34 30 approval is received, the chapter shall not be implemented
34 31 retroactively to the effective date of the chapter in this
34 32 division of this Act, but shall be implemented only on or
34 33 after the date of approval.
34 34 2. The Iowa Medicaid enterprise shall only approve instant
34 35 relief or a nondirect care limit exception under chapter 249K,
35 1 as enacted by this division of this Act, to the extent funding
35 2 is available.
35 3 Sec. 39. Section 8A.330, Code 2007, is repealed.
35 4 Sec. 40. EFFECTIVE DATE. The sections of this division
35 5 creating new chapter 249K, being deemed of immediate
35 6 importance, take effect upon enactment.
35 7 HF 911
35 8 rh:mg/jg/25